



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

MAY 25 2016

Ms. Tammie J. Hynum
Senior Manager
ADEQ Hazardous Waste Division
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

Dear Ms. Hynum,

This letter follows the U.S. Environment Protection Agency (EPA) Region 6's Midyear Review of the ADEQ's Resource Conservation and Recovery Act (RCRA) hazardous waste program conducted with your staff via conference call on May 04, 2016. This review documented the state's progress toward meeting the negotiated 2016 work plan commitments in the Arkansas RCRA, Subtitle C, Section 3011 Cooperative Agreement.

Region 6 is pleased that Arkansas met, and in some areas exceeded, 2016 grant commitments. In the area of permitting and permit renewal, ADEQ is 100 percent permitted, and has no backlog of renewals.

We wish to acknowledge the State's timely reporting. Receiving complete reports on time helps EPA provide effective oversight and increases collaboration among my staff and their state counterparts.

The EPA is committed to continuing to work with the ADEQ to provide technical support and training, as needed.

We congratulate you and your staff for your hard work and commitment to protecting the environment and health of the people of Arkansas. If you have any questions after reviewing the enclosures, please call me, at (214) 665-8022.

*Thanks
Tammie for
all your hard
work + your
team's work!*

Sincerely,

Susan Spalding
Associate Director for RCRA
Multimedia Planning and Permitting Division

Enclosures

cc: Penny Wilson (ADEQ)
Jay Rich (ADEQ)
Terry Sligh (ADEQ)

STATE OF ALABAMA
RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) - HAZARDOUS WASTE GRANT PROGRAM
2016 Mid-Year Report for D-00625116-1

PROGRAM ELEMENT #1 - AUTHORIZATION

Objectives: The authorization of States for revisions to the RCRA Subtitle C program supports the Agency objectives of safe waste management and cleanup at hazardous waste sites. The State and EPA maintain a strong commitment to the authorization of State programs, the enhancement of the State and Federal relationship, and to ensure full adoption and authorization for RCRA rules, as soon as possible, and:

1. Promote the Express Authorization initiative so that it is widely used by States by providing timely implementation assistance to States.
2. Reduce barriers to authorization, thereby expediting the authorization process.

Performance Measure: Rules adopted and checklists submitted for authorization demonstrate the State's commitment to participation in the RCRA program. The ADEQ and EPA will view rule adoption and authorization as measures of success.

Activity A: EPA/State Authorization Coordination Activities

- Task 1:** During the year, EPA and ADEQ will actively participate in identifying problems and developing solutions and strategies for the authorization process.
- Task 2:** The ADEQ will support EPA's codification of ADEQ's authorized hazardous waste program.

Activity B: Maintain Equivalency to the Federal Program

- Task 1:** The ADEQ will maintain equivalency to the Federal program during ADEQ-initiated program modifications - statutory, regulatory, and administrative.
- Task 2:** The ADEQ will notify EPA within sixty (60) days of any State legislation changes that could become a national concern or impact the State's authorized program. The State will submit to EPA regulatory changes and State-initiated program modifications - statutory, regulatory, and administrative.

Activity C: EPA Review of Authorization Applications

- Task 1:** The State will adopt revisions components of RCRA Cluster XXIV
- Task 2:** EPA shall review draft applications and provide a complete set of comments on the same to ADEQ within forty-five (45) days of receipt of the application.
- Task 3:** Within 45 days after receipt of EPA's comments on the draft application for RCRA Cluster XXIV, and if there no regulatory deficiencies ADEQ will prepare and submit a final application to EPA for authorization of these clusters.
- Task 4:** EPA shall initiate the necessary actions to publish the decision on a final application within forty-five (45) days of the receipt of all responses to comments and settlement of any associated issues for that application.

EPA MIDYEAR COMMENTS:

The EPA has completed final regulatory review of the state's submission of RCRA Cluster XVI through XXIII without regulatory deficiencies. EPA has prepared a final Federal Register notice (FR) to authorize the state to administer portions of the RCRA program revisions. The EPA anticipate publishing the FR notice by June 30, 2016.

RCRA CLUSTER XXIV

- RCRA Cluster XXIV draft application is due to EPA Region 6 on September 30, 2016. The regulations in RCRA Cluster XXIV are: Revisions to the Definition of Solid Waste, Vacatur of the Comparable Fuels Rule and the Gasification Rule and Disposal of Coal Combustion Residuals from Electric Utilities.

PROGRAM ELEMENT #2 - PERMITTING & CLOSURE

Objectives: The strategic goals for permit and closure activities at hazardous waste facilities are:

1. Demonstrate substantial progress in permitting land disposal and combustion facilities as determined by the GPRA permitting list of these facilities.
2. Demonstrate substantial progress in reducing risks at inactive land disposal sites.

Grant funds are provided to the State of Arkansas and ADEQ for managing the RCRA program. Targets in the work plan are one means to measure that progress and are not the only means that the state may use to demonstrate appropriate management of the RCRA program. As the universe of available facilities from which to code targets shrinks, EPA's expectation of annual targets will also shrink.

COMMITMENTS			
Activity	RCRA Info Codes	2016 Targets	FY2016 Mid-Year Comments
*Final Determinations or Permit Modifications Incorporating New Units for Combustion Facilities (BIF, Incinerator or Miscellaneous Subpart X Units) <i>[GPRA facilities only]</i>	OP200/OP240 & OP270	1	In process: ADEQ has received one (1) permit modification to incorporate new Subpart X units for Rineco. This application is under review. ACCOMPLISHMENTS: 0
*Final Determinations or Permit Modifications Incorporating New Units for Land Disposal or Storage Treatment Facilities <i>[GPRA facilities only]</i>	OP200 & OP270	1	Complete: ADEQ has approved one (1) permit modification to incorporate new storage units at clean Harbors – El Dorado. ACCOMPLISHMENTS: 1
Final Determinations or Permit Modifications Incorporating Unpermitted Units at Land Disposal Post-Closure Facilities <i>[NON-GPRA facilities]</i>	OP200/OP240 PC200/PC240 & PC270	0	ADEQ is currently up to date on permit activities. There were no commitments for this activity.
Permit Renewals for Combustion Facilities, Land Disposal or Storage Treatment Facilities <i>[GPRA facilities only]</i>	OP200 & OP270	0	Complete: ADEQ has renewed the permits for two (2) Post-Closure Facilities (Lion Oil Co. and Sentinel Industries). In process: ADEQ has received a permit renewal application from FutureFuels. This application is currently under review. ACCOMPLISHMENTS: 2
Closure Plan Approvals/Certifications/Verifications	CL360/CL380 & PC380	0	ADEQ is currently up to date on permit activities. There are no commitments for this activity.
Other EPA and/or State RCRA Permitting Priorities	No Code	0	ADEQ is currently up to date on permit activities. Other permitting activities are noted below.

* ADEQ reserves the right to substitute a class 2 or 3 permit modification of an existing unit.

EPA MID-YEAR COMMENTS: ADEQ is up to date on permitting targets and does not have a backlog of renewals. In addition to the above accomplishments ADEQ completed 20 class 1 and 2 class 2 permit modifications at various facilities.

PROGRAM ELEMENT #3 - CORRECTIVE ACTION

Objective: The Corrective Action program has three overriding program goals:

1. Focus program resources and actions at GPRA priority facilities.
2. Maximize actual environmental results.
3. Streamline and accelerate the pace of the program.

RCRA Info Codes	Corrective Action Activity	FY2016 Targets	FY2016 Mid-Year Targets Met
CA725	Human Exposures Controlled (total completed by End of Year)	0	ADEQ is currently up to date on corrective action activities.
CA750	Groundwater Releases Controlled (total completed by End of Year)	0	ADEQ is currently up to date on corrective action activities
CA400	Entire Facility Remedy Selected/Corrective Measures	0	ADEQ has completed One (1) Remedy Selection at Albemarle Corp South Plant ACCOMPLISHMENT: 1
CA550	Entire Facility Remedy Completed or Construction	0	ADEQ has completed One (1) Construction Completion Determination at Albemarle Corp South Plant ACCOMPLISHMENT: 1
CA350 CA375 CA400	Corrective Measures (CMS) Reports Approved Decision on Petition for No Further Action Remedy Selected/CM Imposed (Unit Level)	2	ADEQ has issued One (1) Remedial Action Decision Document (Olin) and has made One (1) decision on a No Further Action petition (UPRR England Site). ACCOMPLISHMENT: 2
CA550 CA600 CA650 CA999	Remedy Completed or Construction Completed (Unit Level) Stabilization Measures Implemented Stabilization Measures Completed CA Terminated (Entire Facility) CA Terminated (Entire Facility)	2	ADEQ has completed Remedial Actions at three (3) sites (Ayaya (L&M Power Blades), UPRR England Site, and Hatfield Lumber). Remedy construction has been completed at Eaton Hydraulics. ACCOMPLISHMENT: 4
	Other EPA and/or State Corrective Action Priorities	0	ADEQ is currently up to date on corrective action activities. There were no commitments for this activity.

Achievements/Projections for 30* Arkansas Facilities on the Region 6 GPRA 2020 Baseline as related to the 2020 GPRA Region 6 Goals								
	FY09	FY11	FY12	FY13	FY14	FY15	FY16	FY20 Goal
CA725 Human Exposures	30/31 (97%)	31/31 (97%)	31/31 (100%)	30/30 (100%)	30/30 (100%)	30/30 (100%)	30/30 (100%)	29 (95%)
CA750 Ground Water	26/31 (84%)	29/31 (90%)	29/31 (94%)	28/30 (93%)	28/30(93%)	28/30 (93%)	28/30 (93%)	29 (95%)
CA400 Remedy Selection	25/31 (81%)	28/31 (87%)	28/31 (90%)	28/30 (90%)	28/30(93%)	28/30 (93%)	29/30 (97%)	29 (95%)
CA550 Construction Complete	20/31 (65%)	23/31 (74%)	24/31 (74%)	24/30 (80%)	24/30 (80%)	24/30 (80%)	25/30 (83%)	29 (95%)
CA900/999 Performance Standards						14/30 (47%)	14/30 (47%)	8 (25%)

* In 2013, Cedar Chemical was removed from the baseline as it was listed on the Superfund NPL changing the baseline number from 31 to 30.

CORRECTIVE ACTION STREAMLINING AND RE-USE ACTIVITIES WITH ADEQ

Objectives: The corrective action program is now driven by four new site-wide GPRA environmental indicators (EIs): the control of current human exposure (CA725), the control of the migration of contaminated ground water (CA750), remedy selected (CA400) and construction complete (CA550). EPA included the first two indicators as performance objectives for high-priority RCRA facilities to be achieved by the end of FY 2005, and subsequently set a new goal to achieve 95% completion for CA 725 and CA550 corrective action goals by FY 2020. ADEQ has made great progress over the past several years in instituting corrective action streamlining concepts into their cleanup program.

Activity A: Region 6 and ADEQ will continue to work together to further develop and implement practical, innovative, performance- and risk-based corrective action strategies to achieve both State and Federal cleanup goals and priorities. Streamlined approaches used during sampling, analysis, and document submittals will lead to smarter, faster work strategies resulting in long term protective remedies. Lessons learned from these approaches will be used to guide the way data is collected and analyzed for future site cleanup decisions in other state programs and regions.

Activity B: ADEQ will continue to support the RCRA Brownfields and Ready for Re-use programs.

Activity C: Region 6 and ADEQ will work together to implement the new land reuse measures and indicators pursuant to the EPA's February 21, 2007 "Guidance for Documenting and Reporting RCRA Subtitle C Corrective Action Land Revitalization Indicators and Performance Measures."

Activity D: ADEQ will assist Region 6 in obtaining and verifying land reuse measures and indicators information for the 2008 and 2020 GPRA baseline facilities which is not available in the RCRAInfo database. Such information may include:

- Cleanup status (e.g., CA 725, 750, 400, 550, 800, or 999) for site-wide or area-specific determinations;
- Institutional controls and/or engineering controls in place;
- Acres
- Types of use; and
- Status of use

Activity E: ADEQ and EPA will continue to work cooperatively in reviewing Arkansas's identified Federally Utilized Defense (FUD) site investigation and remediation reports. Comments resulting from those reviews will be shared with each other.

MID-YEAR COMMENTS: During the first half of the grant year, no new Ready for Reuse candidate facilities were identified. No Ready for Anticipated Use Determinations were issued in the first half of the grant year.

PROGRAM ELEMENT #4 - PROGRAM MANAGEMENT

Objectives: The EPA will transmit all significant guidance documents to ADEQ with a cover letter clearly stating the purpose of the documents. Within forty-five (45) days after receipt, ADEQ will provide EPA a written response identifying any problems with guidance implementation. The EPA and ADEQ will arrive at a solution/decision on guidance implementation pursuant to the EPA/ADEQ Memorandum of Agreement (MOA).

Activity A: Quality Assurance

The ADEQ must submit an updated FY2016 Quality Assurance Project Plan (QAPP) 60 days prior to October 1, 2015. If there have been no changes to the QAPP from FY 2015, ADEQ must submit a new signature page and documentation stating that the QAPP is current

Activity B: Training

The ADEQ will present the RCRA core curriculum courses or their equivalent as needed for new staff and ensure all ADEQ personnel are kept up-to-date in all new rules and regulations. Training for RCRA inspectors must be provided to ensure compliance with EPA Order 3500.1.

MID YEAR COMMENTS: The state's FY2016 QMP was submitted February, 2016, was approved as submitted, and is valid until February 2017, the FY 2016 QAPP was submitted July 06, 2015, was approved as submitted, and is valid until September 30, 2016.

ADEQ provided staff training and ensures that staff maintains required certifications. EPA's opportunities to present training, including authorization, RCRAInfo, and land revitalization, are restricted by the Agency's reduced travel budget. Region 6 is working to create online training where possible.

PROGRAM ELEMENT #5 - INFORMATION MANAGEMENT

Objective: The ADEQ must maintain RCRAInfo databases in order to provide a complete and accurate picture of program accomplishments. The data retrieved from RCRAInfo should be reliable in order to support RCRA program goals.

The reporting of nationally-required RCRAInfo core elements is essential to properly review and track RCRA program progress at all RCRA-regulated facilities and identify the accomplishment of Government Performance and Results Act (GPRA) goals.

Activity A: RCRAInfo

The ADEQ will enter all quality-assured RCRAInfo data into the EPA database by the seventh working day of each month. The ADEQ should review and improve the current RCRA universes to assure a nationally consistent information base. The ADEQ will make corrections to historical data in RCRAInfo as time and other workload commitments permit.

Activity B: Biennial Report (BR)

ADEQ will collect, compile, perform quality assurance checks, and upload finished data for the 2015 Biennial Report in accordance with the 2015 Biennial Report National Implementation Schedule.

Activity C: Institutional Control (IC – CA772) and Engineering Control (EC – CA770) Information

ADEQ will continue to enter into RCRAInfo and maintain updates for all institutional control (IC) and engineering control (EC) information necessary to adequately review and track RCRA program progress toward GPRA goals. The objective of collecting and tracking this information is to ensure that remedies implemented remain protective over time.

MID-YEAR COMMENTS:

ADEQ enters RCRAInfo data into the database in a timely manner. At this time, there are no major issues with ADEQ's RCRAInfo data.

EPA will continue to review the historical RCRAInfo data in all modules for accuracy, work with ADEQ to research and correct the data and provide assistance and training with current data entry as needed.

The 2015 BR Cycle is now underway. The deadline to submit data for the Preliminary BR is July 5, 2016.

<http://www.epa.gov/epawaste/inforesources/data/biennialreport/index.htm>

PROGRAM ELEMENT #6 - COMPLIANCE MONITORING

Objectives: Before the FY2016 year begins, EPA and ADEQ will agree on the universe of facilities from which Compliance Evaluation Inspections (CEI), Comprehensive Ground-Water Monitoring Evaluation (GME) and Operation & Maintenance Inspections (O&M) will be selected. Should the inspection universe for ADEQ change during the year, adjustments will be made to which facilities are inspected but not to the number of inspections to be conducted as the universe is expected to fluctuate throughout the year.

Activity A: ADEQ Inspection Activities

Task 1: EPA shall adhere to the Program MOA and Compliance Monitoring Strategy and National Program Managers Guidance regarding federal inspection activities and notice to ADEQ.

Task 2: ADEQ will conduct required inspections at hazardous waste facilities.

ACTIVITY	FY 2016 TARGETS	Mid-Year
Compliance Evaluation Inspections (CEIs)	5	29
Groundwater Monitoring Evaluations (GMEs)	1	0
Operation and Maintenance Inspections (OAMs)	3	4

Screen-printed jackets, caps, and shirts will be procured and issued to all ADEQ field staff for visibility and safety during routine compliance monitoring inspections, special investigations, and emergency responses. These items will have identifying information, making the field personnel easily recognizable to the public, regulated community, first responders, and other regulators.

See enforcement attachment for additional data

PROGRAM ELEMENT #7 – ENFORCEMENT

Objective:

Continue to maintain a high rate of compliance in accordance with the EPA Enforcement Response Policy (ERP) by taking timely, visible, and appropriate enforcement action against violators.

EPA Mid-Year comments: ADEQ is meeting its objective to maintain a high rate of compliance in accordance with the EPA ERP by taking visible and appropriate enforcement action against violators (10 formal enforcement actions with penalty and all SNC) and 44 informal enforcement actions against 42 facilities (8 facilities SNC). ADEQ made a timely SNC designation for all its enforcement actions. ADEQ met the response time guidelines for all of its formal and informal enforcement actions.

See enforcement attachment for additional data

ATTACHMENT A
6PD RCRA PROGRAM REVIEW CHECKLIST

MID-YEAR REVIEW 2016

Date of Evaluation: May 04, 2016

Program: RCRA Section 3011 Hazardous Waste Management Program

Delegated State: Arkansas Department of Environmental Quality

Grant #: D-00625115-1

EPA Contacts: **Program Manager:** Susan Spalding
 Grants/Project Officer: Monica Wilson
 Technical Assistance Coordinator: Nancy Fagan

State Contacts: Penny Wilson, Tammie Hynum

PROG REVIEW INDICATOR	STATUS	EPA COMMENTS & RECOMMENDATIONS
SECTION 1: COOPERATIVE AGREEMENT PROCESS		
1a) Annual grant commitments	On-going.	ADEQ is currently up to date.
1b) Grant funds used appropriately.	ADEQ's drawdowns of grant funds are being used appropriately.	
1c) Timeliness and completeness of QAPP and QMP	ADEQ's QMP and QAPPs are both valid at the time of the Mid-Year Report and are submitted and approved within a timely manner.	<p>The state's QMP was received February 25, 2016, was approved as submitted, and is valid until February 26, 2017.</p> <p>The state's QAPP was received July 06, 2015, was approved as submitted, and is valid until September 30, 2016.</p>
1d) Timeliness and completeness of reports	The Mid-Year Report was submitted in a timely manner.	The Mid-Year report for FY16 was received April 13, 2016.
1e) Any changes that may impact implementation of RCRA program reported to the EPA in a timely manner	No changes have been made that may impact implementation of the RCRA program.	
1f) Staff training performed and reported to the EPA	ADEQ provided EPA comprehensive list of training provided to staff during grant year FY16.	

SECTION 2: AUTHORIZATION PROCESS

2a) State is authorized for current RCRA Rules Clusters	Portions of RCRA Cluster XVI and RCRA Clusters XXII and XXIII	The EPA has completed final regulatory review of the state's submission of RCRA Cluster XVI through XXIII without regulatory deficiencies. EPA has prepared a final Federal Register notice (FR) to authorize the state to administer portions of the RCRA program revisions. The EPA anticipate publishing the FR notice by June 30, 2016.
2b) Timeliness and completeness of authorization packages	Portions of RCRA Cluster XVI and RCRA Clusters XXII and XXIII	Portions of RCRA Cluster XVI and RCRA Clusters XXII through XXIII was received on November 30, 2015.

<p>2c) Meets authorization requirements</p>	<p>RCRA Cluster XXIV due September 30, 2016</p>	<p>Once the state receives authorization for portions of RCRA Cluster XVI and RCRA Clusters XXII through XXIII it will meet the authorization requirements.</p> <p>RCRA Cluster XXIV draft application is due to EPA Region 6 on September 30, 2016. The Regulations in RCRA cluster XXIV are: Revisions to the Definition of Solid Waste, Vacatur of the Comparable Fuels Rule and the Gasification Rule and Disposal of Coal Combustion Residuals from Electric Utilities.</p>
<p>2d) Maintenance of legal authority necessary to carry out delegated program.</p> <p>Codification</p>	<p>The State of Arkansas writes the federal RCRA regulations verbatim which are equivalent, consistent and some more stringent than the federal program.</p> <p>RCRA Clusters XX through XXI</p>	<p>There are no legal deficiencies with the state's statutes or regulations to carry out the hazardous waste management program.</p> <p>The EPA has codified State's RCRA Clusters XX through XXI into 40 CFR part 272 with effective date February 29, 2016.</p> <p>The EPA will codify portions of RCRA Cluster XVI and RCRA clusters XXII through XXIII once authorized for those rules.</p>

SECTION 3: TECHNICAL ASSISTANCE/REVIEW PROCESS

3a) Permits reviewed to document if they are consistent with federal requirements; the review includes: public participation requirements, financial assurance (including cost estimates for closure/post-closure care) and compliance schedules.	EPA reviewed the draft renewal permit for Sentinel Industries during the review period.	
3b) Progress on permits listed on the renewal baseline.	ADEQ has no outstanding permit renewals	EPA will be using the 2018 Baseline to track permit renewal progress. ADEQ has 13 permit renewals that expire by the end of 2018 on the baseline.
3c) Additional permits reviewed.		
3d) Corrective Action documents are reviewed for technical and programmatic consistency with federal requirements.		

<p>3e) Corrective action progress</p>	<p>During the first half of the grant year, no R for Reuse candidate facilities were identified.</p> <p>No Ready for Anticipated Use Determinations were issued in the first half of the grant year.</p> <p>Parker Solvents - The Agreed order is currently in e-routing for final review by ORC and concurrence by John Blevins. EPA is hopeful that the order will be filed by the end of FY16.</p>	<p>ADEQ leads the Region in GPRA corrective action accomplishments with 100% Human Exposures controlled; 93% Contaminated Ground Water Controlled; 97% Remedies Selected and 83 % Remedies Constructed; AND 47 % Performance Standards Attained.</p>
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SECTION 4: DATA MANAGEMENT PROCESS

4a) Updates databases in a timely manner

ADEQ enters information into the RCRAInfo database in a timely manner.

Three Financial Assurance mechanisms have recently expired and should be updated as soon as possible: Futurefuel, Great Lakes Chemical Central Plant and Lion Oil Company.

Region 6 appreciates ADEQ's timely response to the HQ initiative to update Permit Expiration (OP/PC270) data.

As part of an ongoing process, Region 6 performs comprehensive reviews of historical data in all RCRAInfo modules. We appreciate ADEQ's responsiveness in researching and making corrections to the data as needed. At this time, there are no major issues with ADEQ's RCRAInfo data.

Region 6 will continue to work with ADEQ to address any data concerns or technical issues with uploading or entering the data into RCRAInfo that may arise.

SECTION 5: SUSTAINABILITY PROGRAMS

<p>5a) Evaluation of sustainability programs</p>	<p>ADEQ continues to support the EPA R6 Sustainable Materials Management (SMM) Federal Green Challenge (FGC). Arkansas has one FGC participant in the FGC, the US Little Rock Post Office and Courtyard.</p> <p>ADEQ promotes pollution prevention and sustainability through its leadership programs:</p> <ul style="list-style-type: none"> • ENVY Environmental Stewardship Awards are presented annually • ADEQ created a new TECH-e Award for innovation and technology • ADEQ announced winners for its 2016 winners and sent R6 their list of winners <p>ADEQ continues to support the RCRA State Sustainability Network by participating in the annual conversation on sustainability.</p>	<p>Region 6 Sustainable Materials Management (SMM) Federal Green Challenge is now in its fifth year and Federal facilities/Offices in Arkansas may continue to join the FGC.</p> <p>R6 is in the award review program and will notify ADEQ of the winners once selected.</p> <p>R6 will host the Award ceremony, June 7-8, 2016 at Region 6</p> <p>R6 thanks ADEQ for sending the announced winners list.</p> <p>R6 looks forward to drafting the 2016 Sustainability Report with highlights of the ADEQ award winners</p> <p>R6 created a network listserve via Fedcenter.gov</p> <p>The next annual States sustainability conversation will be in 2017.</p>
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ADEQ has a well-established webpage to promote and engage employees for environmental stewardship and participation in the Environmental Management System

EPA started to incorporate Sustainability Days for employee engagement and cross-sharing.

STATE SPECIAL ISSUES

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FOLLOW-UP

ACTION ITEM	AGENCY RESPONSIBLE	DUE DATE
Sampling Training	EPA/EN	October/November 2016
IC/EC Training	EPA/Jeanne Schulze	TBD
Basic Inspector Training	EPA	TBD

ADEQ FY16 RCRA Mid-Year Review 10/1/2015 – 3/31/2016

EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance

- Current RCRA Compliance Monitoring Strategy and National Program Managers Guidance
 - Conduct CEIs at 100% (1) of **operating Federal** TSDF Universe (1)
 - 1) AR0213820707 Pine Bluff Arsenal (TSDF/LQG)
 - Conduct CEIs at 50% (5) of **operating non-Federal** TSDF Universe (10)
 - 1) ARD091688283 Aerojet Rocketdyne Inc (SQG/TSDF)
 - 2) ARD981512270 Ash Grove Cement Company (LQG/TSDF)
 - 3) ARD093417525 Austin Powder Company (SQG/TSDF)
 - 4) ARD069748192 Clean Harbors El Dorado LLC (LQG/TSDF) **(03/15/16)**
 - 5) ARD980867873 Esterline Armtec Countermeasures Company (SQG/TSDF) **(11/03/15)**
 - 6) ARD089234884 Futurefuel Chemical Company (LQG/TSDF)
 - 7) ARD043195429 Great Lakes Chemical Central Plant (LQG/TSDF) **(11/12/15)**
 - 8) ARD980621155 Lockheed Martin MFC – EWTF (Transporter/TSDF)
 - 9) ARD006354161 Reynolds Metals Company (LQG/TSDF) **(03/29/16)**
 - 10) ARD981057870 Rineco Chemical Industries Inc (LQG/TSDF) **(03/24/16)**
 - Conduct CEIs at 20% (28) of LQG Universe (141)
(Determined based on the information in RCRAInfo no later than August 1 of each year. As of August 1, 2015, LQG universe consists of 141 facilities).

ADEQ Program Element # 6 – Compliance Monitoring

Objectives: Before the FFY2016 year begins, EPA and ADEQ will agree on the universe of facilities from which Compliance Evaluation Inspections (CEI), Comprehensive Ground-Water Monitoring Evaluation (GME) and Operation & Maintenance Inspections (O&M) will be selected. Should the inspection universe for ADEQ change during the year, adjustments will be made to which facilities are inspected but not to the number of inspections to be conducted as the universe is expected to fluctuate throughout the year.

Activity A: ADEQ Inspection Activities

Task 1: EPA shall adhere to the Program MOA and Compliance Monitoring Strategy and National Program Managers Guidance regarding federal inspection activities and notice to ADEQ.

Task 2: ADEQ will conduct required inspections at hazardous waste facilities.

ACTIVITY	FY 2016 TARGETS	Mid-Year
Compliance Evaluation Inspections (CEIs)	5	29
Groundwater Monitoring Evaluations (GMEs)	1	0
Operation and Maintenance Inspections (OAMs)	3	4

Screen-printed jackets, caps, and shirts will be procured and issued to all ADEQ field staff for visibility and safety during routine compliance monitoring inspections, special investigations, and emergency responses. These items will have identifying information, making the field personnel easily recognizable to the public, regulated community, first responders, and other regulators.

ADEQ FY16 RCRA Mid-Year Review 10/1/2015 – 3/31/2016

EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance
ADEQ Program Element # 6 – Compliance Monitoring

COMPLETED 10/1/2015 – 03/31/2016

Federal Operating TSDFs = 0 CEIs

Non-Federal Operating TSDFs = 5 CEIs (100% of CMS)

- 1) ARD069748192 Clean Harbors El Dorado LLC (LQG/TSDF) (03/15/16)
- 2) ARD980867873 Easterline Armtec Countermeasure (SQG/TSDF) (11/03/15)
- 3) ARD043195429 Great Lakes Chemical Central Plant (LQG/TSDF) (11/12/15)
- 4) ARD006354161 Reynolds Metals Company (LQG/TSDF) (03/29/16)
- 5) ARD981057870 Rineco Chemical Industries Inc (LQG/TSDF) (03/24/16)

0 GMEs (0% of target)

OAMs = 4 (> 100% of target)

1. ARD006337620 Baldwin Piano (12/14/15)
2. ARD049658628 Mountain Pine Pressure Treating (11/14/15)
3. ARD980745665 Old Midland Products Site (10/09/15)
4. AR0000000331 Value Line Company (03/23/16)

LQGs = 20 CEIs (71% of CMS)

1. ARR000021220 Amerities South LLC (12/08/15)
2. ARD983267733 Bekaert Corporation (10/14/15)
3. ARD075675785 Berenfield Containers (SW) LTD (02/04/16)
4. ARR000023721 CVS Pharmacy #10019 (10/08/15)
5. ARD139607048 Evonik Cyro LLC (03/03/16)
6. ARD050928696 Firestone Building Products Co (12/09/15)
7. ARD086635018 FM Structural Plastics Technology (02/17/16)
8. ARD030414494 Helena Industries Inc (10/06/15)
9. AR0000362756 Interstate Highway Sign Corp (02/09/16)
10. ARD005072079 Lacroix Optical Co (03/29/16)
11. ARD000021998 Lion Oil Company (LQG/Full Enf only TSDF) (02/18/16)
12. ARD044063576 Martin Sprocket And Gear Inc (01/05/16)
13. ART060010345 Matthews International Corporation (01/12/16)
14. ARD106338106 Mercy Hospital Fort Smith (12/08/15)
15. ARD075664243 Packaging Specialties Inc (01/12/16)
16. ARR000024661 Saint-Gobain Ceramics and Plastics (11/03/15)
17. ARD000709584 Superior Industries International (02/02/16)
18. ARD075661595 Union Pacific Railroad – Jenks (01/21/16)
19. ARD981158405 University of Arkansas For Medical Science (02/11/16)
20. ARD067671313 Weyerhaeuser (LQG/Full Enf only TSDF) (12/17/15)

ADEQ FY16 RCRA Mid-Year Review 10/1/2015 – 3/31/2016

EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance

ADEQ Program Element # 6 – Compliance Monitoring

COMPLETED 10/1/2015 – 03/31/2016

SQGs = 2 CEIs

1. ARR000024182 CMT Inc (11/06/15)
2. ARD092915990 Hoover Treated Wood Products (10/08/15)

CESQGs = 2 CEIs

1. ARD046139226 ACE Radiator Inc (11/23/15)
2. ARR000026922 Custom Auto Service Inc (02/18/16)

TOTAL CEIs = 29

TOTAL GMEs = 0

TOTAL OAMs = 4

Additional: Corrective Action Compliance Evaluation (CAC) = 0
Focused Compliance Inspection (FCI) = 4
Follow-up Inspection (FUI) = 1
Financial Record Review (FRR) = 16 @ 10 Facilities
Non-Financial Record Review (NRR) = 83 @ 18 Facilities
Complaints Investigated = 23

ADEQ FY16 RCRA Mid-Year Review 10/1/2015 – 3/31/2016

EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance

Timely and appropriate enforcement actions

By Day 150, SV or SNC determination

By Day 150, issue a warning letter or other appropriate notification of violation(s) to SVs or SNCs to put those violators on notice of violation(s)

By Day 240, SVs are required to return to compliance

By Day 240, unilateral or initial orders issued to SNCs, if appropriate

By Day 360, referral to State's Attorney General or

By Day 360, a signed Final or Consent Order

ADEQ Program Element # 7 – Enforcement

Objective: Continue to maintain a high rate of compliance in accordance with the EPA Enforcement Response Policy (ERP) by taking timely, visible, and appropriate enforcement action against violators.

Issued 10/1/2015 – 03/31/2016

Informal Enforcement Actions = 44 @ 42 Facilities (8 Facilities SNC)

Minimum days to issue = 0 (Day Zero)

Maximum days to issue = 141

Includes:

Written Informal (Code 120) = 36 @ 34 Facilities

Letter of Intent to Initiate Enf Action (Code 140) = 4 (SNC)

ARD055602098 Crider Aircraft Painting (50 days)

ARD980867873 Esterline Armtec Countermeasure (28 days)

ARD043195429 Great Lakes Chemical Central Plant (26 days)

ARD983266487 Rose Aircraft Finishes (55 days)

Proposed CAO (Code 149) = 4 (SNC)

ARD069748192 Clean Harbor El Dorado (141 days)

ARR000026427 Custom Colors of Arkansas (117 days)

ARR000003277 Ozark Automotive Distributors (111 days)

ARD006354161 Reynolds Metals Company (93 days)

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EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance

Timely and appropriate enforcement actions

By Day 150, SV or SNC determination

By Day 150, issue a warning letter or other appropriate notification of violation(s) to SVs or SNCs to put those violators on notice of violation(s)

By Day 240, SVs are required to return to compliance

By Day 240, unilateral or initial orders issued to SNCs, if appropriate

By Day 360, referral to State's Attorney General or

By Day 360, a signed Final or Consent Order

ADEQ Program Element # 7 – Enforcement

Objective: Continue to maintain a high rate of compliance in accordance with the EPA Enforcement Response Policy (ERP) by taking timely, visible, and appropriate enforcement action against violators.

Issued 10/1/2015 – 03/31/2016

Formal Enforcement Actions = 10 (all SNC)

Final 3008(a) Compliance Order RCRAInfo Code 310 = 10

ARD981512270	Ash Grove Cement Company	(169 days)
ARD069748192	Clean Harbors El Dorado	(204 days)
ARR000026427	Custom Colors of Arkansas	(151 days)
ARD053730701	Gerdau – Fort Smith Mill	(218 days)
ARD043195429	Great Lakes Chemical	(191 days)
AR0000324442	Ineos Bio USA LLC	(172 days)
ARD006344824	Koppers Inc	(330 days)
ARR000003277	Ozark Automotive Distributors	(145 days)
ARD006354161	Reynolds Metals Company	(134 days)
ARD047335096	Sentinel Industries Inc	(133 days)

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EPA Goal 5: Protecting Human Health and the Env by Enforcing Laws and Assuring Compliance

Timely and appropriate enforcement actions

By Day 150, SV or SNC determination

By Day 150, issue a warning letter or other appropriate notification of violation(s) to SVs or SNCs to put those violators on notice of violation(s)

By Day 240, SVs are required to return to compliance

By Day 240, unilateral or initial orders issued to SNCs, if appropriate

By Day 360, referral to State's Attorney General or

By Day 360, a signed Final or Consent Order

ADEQ Program Element # 7 – Enforcement

Objective: Continue to maintain a high rate of compliance in accordance with the EPA Enforcement Response Policy (ERP) by taking timely, visible, and appropriate enforcement action against violators.

State Unaddressed SNCs = 4 (all within 360 days of Day Zero)

- 1) ARD055602098 Crider Aircraft Painting Inc SNY 10/16/15 (Day Zero 08/27/15)
- 2) ARD980867873 Esterline Armtec Countermeasures SNY 12/01/15
(Day Zero 11/03/15)
- 3) ARD043195429 Great Lakes Chemical Central Plant SNY 12/08/15
(Day Zero 11/12/15)
- 4) ARD983266487 Rose Aircraft Finishes SNY 11/2/2015
(Day Zero 09/08/15)